

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

MARVIN AIKENS,)
)
Petitioner,)
)
v.) CASE NO. CV418-203
) CR417-043
UNITED STATES OF AMERICA,)
)
Respondent.)
)

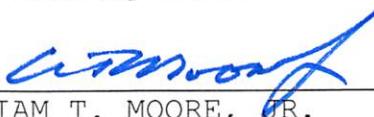
O R D E R

Before the Court is the Magistrate Judge's December 14, 2020, Report and Recommendation (Doc. 27), to which petitioner has not filed objections. After a careful de novo review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case. Petitioner's complaint is **DISMISSED** and the Clerk of Court is **DIRECTED** to **CLOSE** this case.

Further, a federal prisoner must obtain a certificate of appealability ("COA") before appealing the denial of his motion to vacate. Applying the COA standards set forth in Brown v. United States, NOS. 407CV085, 403CR001, 2009 WL 307872, at *1-2 (S.D. Ga. Feb. 9, 2009), the Court discerns no COA-worthy issues at this stage of the litigation, so no COA will issue. 28 U.S.C. § 2253(c)(1); Rule 11(a) of the Rules Governing Habeas Corpus Cases Under 28 U.S.C. § 2255 ("The district court must issue or deny a

certificate of appealability when it enters a final order adverse to the applicant").

SO ORDERED this 21st day of January 2021.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA